

**INTEREST
CENTERS
IN ATTACKS
MADE
ON FRANK
JURORS**

Many Sealed
Depositions Are

Filed With Deputy
Clerk

Assailing A. H.
Henslee and

Marcus Johenning.

*SPARTA CITIZENS
SAY*

*HENSLEE
PREJUDICED*

Members of Jury Deny
in In-

dignant Terms That Any of Their Number Was Biased In Any Way.

That one of the Sparta, Ga., citizens whose affidavits are now sealed and lying in the safe of the clerk of the superior court, did make the statement that A. H. Henslee had declared that he believed Frank guilty and would like to see him hang, was the statement made last night by another citizen of the Hancock county seat.

The exact contents of the affidavits which were made before J. W. Lewis, of Sparta, by three of the most prominent men in the town are not known. It is claimed by the defense that Mr. Henslee while travelling for his buggy concern and before he or anyone else had been drawn on the venire for the Leo M. Frank jury, state to several people that he believed Frank guilty of the murder of Mary Phagan. The depositions were made by John M. Holmes, a member of the firm of Holmes & Walker, dealers in insurance, real estate and buggies; by S. M. Johnson, cashier of the firm, and by Shi Gray, said to have been in the office when Mr. Henslee made the alleged statement.

Wants Depositions Opened.

What is in the depositions will not be known until Deputy Clerk John H. Jones opens them. Solicitor General Hugh M. Dorsey

will make an effort to have the court order them made public today in order that he may know their contents and be in a position to refute them, if possible.

Mr. Henslee, who is a travelling man, could not be located for a statement, should he care to give one, in reply to the charge, but others of the jury, and among them Marcus Jochenning, also charged with bias before he was sworn on the jury, bitterly denied that any of the twelve men had been induced to convict Frank of the Mary Phagan murder by anything but the evidence submitted in open court.

The hearing of the motion for a new trial is due to come up at 10 o'clock today before Judge L. S. Roan. That Solicitor General Hugh M. Dorsey will ask a postponement in order that he may have time to make answer to the 115 reasons cited as cause for a new trial is known from an authentic source. It is believed that this postponement will be granted and that the case will be reset for a time within a week or two weeks, to be agreed upon by both the defense and the state.

Since he was served Thursday with the motion for a new trial, the solicitor has been working on the answer and has been aided by Attorney Frank A. Hooper, who made such a brilliant fight with him on the conviction of Frank.

Affidavit by Stough.

Another deposition, also sealed, was filed in the superior court Friday. It was named as being made by C. P. Stough and taken before Commissioner S. N. Teitlebaum. Its contents have not been made public, but in it is declared to be the statement that Mr. Stough, who lives at 115 Holderness street, heard Mr. Henslee make the remark that he "believed Frank guilty and would like to be in a position to break his neck."

The alleged remarks of the juror, which the defense will claim made it impossible for him to give Frank a fair trial, are said to have been made before the trial and at a time when no one

knew who would be drawn upon the venire of 144 men, or which of that 144 would be selected as jurors.

The affidavits from Sparta were secured by Attorney Stiles Hopkins, associated with the firm of Rosser, Brandon, Slaton & Phillips, of which Luther Z. Rosser was senior counsel for Frank.

Attorney Hopkins also went to Blakely, Georgia, and secured affidavits from citizens there. These men, however, denied that Henslee had ever said anything in their presence before the trial that would tend to show his opin-

Continued on Page Two.

PDF PAGE 2, COLUMN 4

INTEREST IN ATTACK ON FRANK JURORS

Continued From Page One.

ion, if he had one, in regard to the guilt of the young factory superintendent, who is sentenced to hang on next Friday.

Two Members Prejudiced.

When the hearing is actually begun the defense, it is said, will bring its affidavits to bear in an effort to show that at least

two members of the jury were prejudiced before they went into the case, and will also declare that judge Roan erred in many of his decisions of legal points, particularly in regard to the admissibility of certain evidence against Frank.

It is expected that the arguments from both sides may consume several days and that a great deal of the law points that were threshed out during the trial and lost by the defense will be gone over again.

Should Judge Roan see fit to deny a new trial the case is certain to go to the supreme court and in the event that this body affirms the superior court judge, it is said that an effort will be made to carry the matter to the United States courts in a final fight for the life of the condemned man.

Interest in Affidavits.

It is generally believed that on the legal points Judge Roan will refuse to grant a new trial, but what will come from the affidavits in regard to the alleged bias of the jurors is a matter that cannot be determined until the contents of the affidavits are made public and the opinion of the court is passed upon them.

Judge Roan has a record that few superior court judges have in respect to having his decisions on points of law upheld by the supreme court. It is said that only once in the past two and a half years has the supreme court reversed his ruling upon a point of law.
